

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

LARRY DANCY,

Plaintiff

v.

MR. COLLIER, et al.,

Defendants

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CIVIL NO. 3:CV-06-2301

(Judge Kosik)

**ORDER**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

Plaintiff, Larry Dancy, an inmate currently confined at the United States Penitentiary at Lewisburg (USP-Lewisburg), Pennsylvania, filed this civil rights action on November 30, 2006, pursuant to 28 U.S.C. § 1331. (Doc. 1.) Named as defendants are eight (8) Bureau of Prisons employees currently or formerly at USP-Lewisburg or the United States Penitentiary at Allenwood. On March 26, 2007, defendants filed a Motion to Dismiss or in the alternative for Summary Judgment. (Doc. 15.) A supporting brief and record were thereafter submitted in support of the motion. (Docs. 22, 23.) A response to defendants' motion was due to be filed by plaintiff on or before April 23, 2007. As of this date, plaintiff has neither submitted any opposition to the motion, nor requested an enlargement of time within which to do so.

The Court is cognizant of the special difficulties facing pro se litigants. See Haines v. Kerner, 404 U.S. 519 (1972). However, the United States Court of Appeals for the Third Circuit has emphasized that local rules play “a vital role in the district courts’ efforts to manage themselves and their dockets.” Eash v. Riggins Trucking, Inc., 757 F.2d 557, 570 (3d Cir. 1985). Therefore, the Court will afford the plaintiff an opportunity to respond to the defendants’ motion in accordance with Fed. R. Civ. P. 56 and M.D. Pa. LR 56.1. Failure to do so will result in the motion being deemed unopposed. See Stackhouse v. Mazurkiewicz, 951 F.2d 29 (3d Cir. 1991).

**NOW, THEREFORE THIS 1<sup>st</sup> DAY OF MAY, 2007, IT IS HEREBY  
ORDERED THAT:**

1. The plaintiff is afforded twenty (20) days from the date of this Order to respond to the defendants’ pending motion in accordance with Fed. R. Civ. P. 56 and M.D. Pa. LR 56.1.
2. Failure to timely respond to the defendants’ motion will result in the motion being deemed unopposed.

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s/Edwin M. Kosik  
United States District Judge